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Attorneys for Plaintiff
TOP AGENT NETWORK, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

TOP AGENT NETWORK, INC.,

Plaintiff,

v.

NATIONAL ASSOCIATION OF REALTORS;
SAN FRANCISCO ASSOCIATION OF
REALTORS,

Defendants.

CASE NO. 3:20-CV-03198 VC

**STIPULATION AND [PROPOSED]
ORDER REGARDING CASE
MANAGEMENT CONFERENCE AND
RULE 26(f) REPORT**

Judge: Hon. Vince Chhabria

Complaint Filed: May 11, 2020

Pursuant to Civil Local Rules 6-1, 6-2 and 7-12, the parties hereby stipulate to request that the Court continue the Case Management Conference currently scheduled for January 26, 2024.

RECITALS

WHEREAS, on August 16, 2021, this Court entered an order dismissing the Plaintiff's Third Amended Complaint;

WHEREAS, on August 28, 2023, the Court's dismissal order was vacated by the Ninth Circuit Court of Appeals and the matter remanded to the Court for reconsideration in light of an intervening Ninth Circuit decision;

WHEREAS, on December 18, 2023, the Court issued an order vacating its August 16 dismissal order and reopening this matter, and setting a Case Management Conference for January 26, 2024;

WHEREAS, the Parties dispute whether the Ninth Circuit remand for reconsideration should impact the Court's prior analysis in its dismissal order, and the Parties disagree how the Court should resolve that dispute;

WHEREAS, the Parties believe that discussions of an efficient resolution of this matter would be advanced and facilitated by postponing that dispute and any discovery, and the Court delaying the Case Management Conference;

WHEREAS, the Parties believe that continuing the currently scheduled Case Management Conference, and temporarily delaying discovery and the setting of pretrial deadlines (including any briefing on the remand), may save litigation costs, and protect this Court from unnecessary burden;

WHEREAS, the Parties agree that it would be more efficient, and preserve party and judicial resources, for the Case Management Conference to be continued for at least three months;

THEREFORE, the Parties, through their counsel, hereby stipulate as follows:

1. a discussion of how to assess the remand, the Case Management Conference, discovery, and any initial disclosures and meet and confer requirements relating to discovery, are premature;

2. the parties request that the Court take the Case Management Conference off calendar and reset it to a date after April 15, 2024 at a time convenient to the Court.

IT IS SO STIPULATED.

[signatures attached]

DATED: January 19, 2024

LEWIS & LLEWELLYN LLP

By /s/ Paul T. Llewellyn

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Attorneys for Plaintiff Top Agent Network, Inc.

DATED: January 19, 2024

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By /s/ Ethan Glass

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PURSUANT TO THE PARTIES' STIPULATION, IT IS SO ORDERED. The Case

Management Conference is continued to _____.

Date:

Hon. Vince Chhabria
United States District Judge

SIGNATURE ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), I hereby attest that concurrence in the filing of this stipulation has been obtained from each signatory herein.

By: /s/ Paul T. Llewellyn
Paul T. Llewellyn